

David Burkhalter

From: David Burkhalter
Sent: Thursday, October 03, 2019 2:40 PM
To: Erica
Cc: Jennifer Lindsey; Alex Burkhalter; Zach Burkhalter
Subject: FW: [EXTERNAL] FW: [EXTERNAL] FW: FOIA 18-00214-EW and FOIA 18-00222-EW

Hi Ms. White: Please review the email chain below and you might understand why we regard your response from October 30, 2019 unreasonable and unacceptable. I will proceed to file suit without further notice. I will attach the email chain to the suit. Thank you.

David A. Burkhalter, II
Attorney at Law
The Burkhalter Law Firm, P.C.
P.O. Box 2777
Knoxville, TN 37901
Telephone: (865) 524-4974
Facsimile: (865) 524-0172
www.burkhalterlaw.com

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From: Jennifer Lindsey <jennifer@burkhalterlaw.com>
Sent: Thursday, October 03, 2019 2:15 PM
To: David Burkhalter <david@burkhalterlaw.com>
Subject: FW: [EXTERNAL] FW: [EXTERNAL] FW: FOIA 18-00214-EW and FOIA 18-00222-EW

From: White, Erica <erica.white@nnsa.doe.gov>
Sent: Monday, September 30, 2019 4:16 PM
To: Jennifer Lindsey <jennifer@burkhalterlaw.com>
Cc: David Burkhalter <david@burkhalterlaw.com>
Subject: RE: [EXTERNAL] FW: [EXTERNAL] FW: FOIA 18-00214-EW and FOIA 18-00222-EW

Ms. Lindsey,

The FOIA's remain under review. As a result, the new estimated date of completion for your requests is December 31, 2019.

Thank you and have a wonderful day.

V/R

Erica White

FOIA/PA Analyst
Office of the General Counsel
National Nuclear Security Administration

From: Jennifer Lindsey [<mailto:jennifer@burkhalterlaw.com>]
Sent: Monday, September 30, 2019 11:23 AM
To: Hamblen, Christina H. <christina.hamblen@nnsa.doe.gov>; White, Erica <erica.white@nnsa.doe.gov>
Cc: David Burkhalter <david@burkhalterlaw.com>
Subject: [EXTERNAL] FW: [EXTERNAL] FW: FOIA 18-00214-EW and FOIA 18-00222-EW

Good afternoon. Can you please let us know the status and if these are being sent out today. Thank you.

Best Regards,
Jennifer Lindsey, Legal Assistant
The Burkhalter Law Firm, P.C.
PO Box 2777
Knoxville, TN 37901
(865) 524-4974 Phone
(865) 524-0172 Fax
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From: Hamblen, Christina H. <christina.hamblen@nnsa.doe.gov>
Sent: Wednesday, April 10, 2019 2:57 PM
To: Jennifer Lindsey <jennifer@burkhalterlaw.com>; White, Erica <erica.white@nnsa.doe.gov>
Cc: David Burkhalter <david@burkhalterlaw.com>
Subject: RE: [EXTERNAL] FW: [EXTERNAL] FW: FOIA 18-00214-EW and FOIA 18-00222-EW

Ms. Lindsey,

The estimated date of completion for both your requests remains September 30, 2019.

Christina Hamblen
Lead FOIA Analyst
Office of the General Counsel
National Nuclear Security Administration

From: Jennifer Lindsey [<mailto:jennifer@burkhalterlaw.com>]
Sent: Wednesday, April 10, 2019 12:43 PM
To: White, Erica <erica.white@nnsa.doe.gov>; Hamblen, Christina H. <christina.hamblen@nnsa.doe.gov>
Cc: David Burkhalter <david@burkhalterlaw.com>
Subject: [EXTERNAL] FW: [EXTERNAL] FW: FOIA 18-00214-EW and FOIA 18-00222-EW
Importance: High

Please provide a status of these requests as we have not heard back from our last emails of 3/12/19 and 3/25/19 attached below.

Best Regards,
Jennifer Lindsey, Legal Assistant
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From: Jennifer Lindsey <jennifer@burkhalterlaw.com>
Sent: Monday, March 25, 2019 11:50 AM
To: 'White, Erica' <Erica.White@nnsa.doe.gov>; 'Hamblen, Christina H.' <Christina.Hamblen@nnsa.doe.gov>
Cc: David Burkhalter <david@burkhalterlaw.com>
Subject: RE: [EXTERNAL] FW: [EXTERNAL] FW: FOIA 18-00214-EW and FOIA 18-00222-EW
Importance: High

Ms. White,

Can you please let us know what you have for the current status of these requests before Mr. Burkhalter proceeds further. Thank you.

Best Regards,

Jennifer Lindsey, Legal Assistant
The Burkhalter Law Firm, P.C.
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(865) 524-0172 Fax
www.burkhalterlaw.com

From: David Burkhalter <david@burkhalterlaw.com>
Sent: Tuesday, March 12, 2019 4:06 PM
To: Hamblen, Christina H. <Christina.Hamblen@nnsa.doe.gov>; Jennifer Lindsey <jennifer@burkhalterlaw.com>
Cc: White, Erica <Erica.White@nnsa.doe.gov>
Subject: RE: [EXTERNAL] FW: [EXTERNAL] FW: FOIA 18-00214-EW and FOIA 18-00222-EW

Ms. Hamblen: We are in receipt of your response and you undoubtedly were not aware of Ms. White's prior response to us on Feb. 19, 2019: "These two FOIA's are at the top of my priority list." See below. Please re-assess, and/or have Ms. White get back to us when she returns to work. If your estimated date is correct, we will have to file suit, but obviously, we would like to avoid that. Thank you.

David A. Burkhalter II
Attorney at Law
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From: Hamblen, Christina H. <Christina.Hamblen@nnsa.doe.gov>
Sent: Tuesday, March 12, 2019 3:55 PM
To: 'Jennifer Lindsey' <jennifer@burkhalterlaw.com>
Cc: White, Erica <Erica.White@nnsa.doe.gov>; David Burkhalter <david@burkhalterlaw.com>
Subject: RE: [EXTERNAL] FW: [EXTERNAL] FW: FOIA 18-00214-EW and FOIA 18-00222-EW

Ms. Lindsey,

Currently, our office has 234 pending FOIA cases. Your 2 cases are numbers 110 and 115 in the queue. The estimated date of completion for both your requests is September 30, 2019. We appreciate your patience.

It is the practice of the National Nuclear Security Administration, in accordance with Departmental policy, to process FOIA requests in the approximate order of the date received by this office. A number of requests received prior to yours are pending, and your request will be processed in turn. We will make every effort to respond to your request as quickly as possible. However, we estimate that we will not be able to provide responsive records in 20 working days. We need more time to complete the search, review the record(s) for release, and prepare a response to you, as some requests, depending upon the volume of records, the complexity of the search, and/or the sensitivity of the subject matter, require additional time to complete.

Ms. White will contact you if the estimated completion date changes.

Respectfully,

Christina Hamblen
Lead FOIA Analyst
Office of the General Counsel
National Nuclear Security Administration

From: Jennifer Lindsey [mailto:jennifer@burkhalterlaw.com]
Sent: Tuesday, March 12, 2019 11:38 AM
To: Hamblen, Christina H. <Christina.Hamblen@nnsa.doe.gov>
Cc: White, Erica <Erica.White@nnsa.doe.gov>; David Burkhalter <david@burkhalterlaw.com>
Subject: [EXTERNAL] FW: [EXTERNAL] FW: FOIA 18-00214-EW and FOIA 18-00222-EW
Importance: High

Ms. Hamblen,
As I am unsure of the dates of her unavailability, could you please check the status of these for us? Thank you!

From: White, Erica <Erica.White@nnsa.doe.gov>
Sent: Tuesday, March 12, 2019 11:40 AM
To: Jennifer Lindsey <jennifer@burkhalterlaw.com>
Subject: Automatic reply: [EXTERNAL] FW: FOIA 18-00214-EW and FOIA 18-00222-EW

I am currently out of the office with limited access to email. For urgent matters, please contact Christina Hamblen by email at christina.hamblen@nnsa.doe.gov. Otherwise, I will respond to emails as available.

Thank you,

Erica White

Best Regards,
Jennifer Lindsey, Legal Assistant
The Burkhalter Law Firm, P.C.
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Knoxville, TN 37901
(865) 524-4974 Phone
(865) 524-0172 Fax
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From: Jennifer Lindsey <jennifer@burkhalterlaw.com>
Sent: Tuesday, March 12, 2019 11:40 AM
To: 'White, Erica' <Erica.White@nnsa.doe.gov>
Cc: David Burkhalter <david@burkhalterlaw.com>
Subject: RE: [EXTERNAL] FW: FOIA 18-00214-EW and FOIA 18-00222-EW
Importance: High

Ms. White,

Mr. Burkhalter is once again wanting to know the status of these requests that we last heard from you regarding such on 2/19/19. Please forward these documents if they are now available. Thank you!

Best Regards,

Jennifer Lindsey, Legal Assistant

The Burkhalter Law Firm, P.C.

PO Box 2777

Knoxville, TN 37901

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From: White, Erica <Erica.White@nnsa.doe.gov>

Sent: Tuesday, February 19, 2019 3:49 PM

To: 'Jennifer Lindsey' <jennifer@burkhalterlaw.com>

Cc: David Burkhalter <david@burkhalterlaw.com>; White, Erica <Erica.White@nnsa.doe.gov>

Subject: RE: [EXTERNAL] FW: FOIA 18-00214-EW and FOIA 18-00222-EW

Hello Ms. Lindsey,

These FOIA's are not yet complete. I have received the records and am processing the documents. These two FOIA's are at the top of my priority list.

Thank you and have a wonderful day.

V/R

Erica White

Government Information Specialist

Office of the General Counsel

National Nuclear Security Administration

From: Jennifer Lindsey [<mailto:jennifer@burkhalterlaw.com>]

Sent: Tuesday, February 19, 2019 1:17 PM

To: White, Erica <Erica.White@nnsa.doe.gov>

Cc: David Burkhalter <david@burkhalterlaw.com>
Subject: [EXTERNAL] FW: FOIA 18-00214-EW and FOIA 18-00222-EW
Importance: High

Ms. White,
Would you please forward the produced FOIA reports in response to the above noted requests as we have yet to receive them. Thank you.

Best Regards,
Jennifer Lindsey, Legal Assistant
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From: David Burkhalter <david@burkhalterlaw.com>
Sent: Tuesday, November 27, 2018 11:38 AM
To: Jennifer Lindsey <jennifer@burkhalterlaw.com>
Subject: FW: FOIA 18-00214-EW and FOIA 18-00222-EW

From: White, Erica <Erica.White@nnsa.doe.gov>
Sent: Tuesday, November 27, 2018 11:19 AM
To: David Burkhalter <david@burkhalterlaw.com>
Cc: White, Erica <Erica.White@nnsa.doe.gov>; Weckerle, John <John.Weckerle@nnsa.doe.gov>
Subject: FOIA 18-00214-EW and FOIA 18-00222-EW

Mr. Burkhalter,

While understand your frustration with the delayed processing, I assure you your requests are not being ignored. There is a due diligence by both the responsive record holder and this office to ensure that the documents have been properly reviewed and if necessary, redacted under the Freedom of Information Act (FOIA) and the Privacy Act (PA).

Currently both FOIA 18-00214-EW and FOIA 18-00222-EW have been returned to the responsible site office to go through a second review. The responsive records are being processed by the Subject Matter Expert. Once complete the request will be sent to me for final processing. When I have completed my portion there are two additional reviews conducted.

The site office reports an estimated date of completion of November 30, 2018. Without any knowledge of number of records, volume of records, or redactions recommended pursuant to the FOIA and PA, it is difficult to predict the amount of time it will take to process the records. I will have a better idea once I receive the response packages from the site office.

Thank you and have a wonderful day.

V/R

Erica White

FOIA/PA Analyst
Office of the General Counsel
National Nuclear Security Administration

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Jennifer Lindsey

From: Jennifer Lindsey
Sent: Friday, November 9, 2018 3:31 PM
To: 'White, Erica'
Cc: 'David Burkhalter'
Subject: RE: [EXTERNAL] RE: Status update - FOIA 18-00214-EW and 18-00222-EW

Mr. Burkhalter has asked me to check with you on this status once again. Please let us know what that status is. Thank you.

Best Regards,

*Jennifer Lindsey, Legal Assistant
The Burkhalter Law Firm, P.C.*
PO Box 2777
Knoxville, TN 37901
(865) 524-4974 Phone
(865) 524-0172 Fax
www.burkhalterlaw.com

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From: White, Erica <Erica.White@nnsa.doe.gov>
Sent: Thursday, October 4, 2018 2:54 PM
To: Jennifer Lindsey <jennifer@burkhalterlaw.com>
Cc: White, Erica <Erica.White@nnsa.doe.gov>
Subject: RE: [EXTERNAL] RE: Status update - FOIA 18-00214-EW and 18-00222-EW

Ms. Lindsey,

I am unable to provide an estimated date of completion at this time. As mentioned in my 9/25/18 email to you, FOIA 18-00222-EW is in my queue for processing. As for FOIA 18-00214-EW, the case did not make it through the final review and has been returned to the site office.

Thank you,
Erica

From: Jennifer Lindsey [<mailto:jennifer@burkhalterlaw.com>]
Sent: Thursday, October 04, 2018 12:10 PM

↑
To: White, Erica <Erica.White@nnsa.doe.gov>
Cc: David Burkhalter <david@burkhalterlaw.com>
Subject: [EXTERNAL] RE: Status update - FOIA 18-00214-EW and 18-00222-EW
Importance: High

Good afternoon Ms. White. We are still awaiting these responses, and Mr. Burkhalter is hoping to receive at least an email copy of them today if at all possible. Please advise. Thank you.

Best Regards,
Jennifer Lindsey, Legal Assistant
The Burkhalter Law Firm, P.C.
PO Box 2777
Knoxville, TN 37901
(865) 524-4974 Phone
(865) 524-0172 Fax
www.burkhalterlaw.com

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From: White, Erica <Erica.White@nnsa.doe.gov>
Sent: Tuesday, September 25, 2018 7:09 AM
To: Jennifer Lindsey <jennifer@burkhalterlaw.com> .
Cc: White, Erica <Erica.White@nnsa.doe.gov>
Subject: Status update - FOIA 18-00214-EW and 18-00222-EW

Good morning Ms. Lindsey,

See below for a status update on FOIA's 18-00214-EW and 18-00222-EW.

FOIA 18-00214-EW – I have received records from the site office. This case is in my que and will be processed in turn.

FOIA 18-00222-EW – I have completed processing of this case and it is in the final review process.

Thank you and have a wonderful day.

V/R

Erica White

FOIA/PA Analyst
Office of the General Counsel
National Nuclear Security Administration

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Jennifer Lindsey

From: Jennifer Lindsey
Sent: Thursday, August 16, 2018 10:09 AM
To: David Burkhalter
Subject: FW: Acknowledgement of Freedom of Information Act Request - FOIA 18-00214-EW

Forwarding...Response on Dainiak FOIA request. Still pending.

From: White, Erica <Erica.White@nnsa.doe.gov>
Sent: Thursday, August 16, 2018 10:06 AM
To: Jennifer Lindsey <jennifer@burkhalterlaw.com>
Cc: White, Erica <Erica.White@nnsa.doe.gov>
Subject: RE: Acknowledgement of Freedom of Information Act Request - FOIA 18-00214-EW

Ms. Lindsey,

The site office is compiling and reviewing records. I have no estimated date of completion at this time.

Thank you and have a wonderful day.

V/R

Erica White

FOIA/PA Analyst
Office of the General Counsel
National Nuclear Security Administration

From: Jennifer Lindsey [mailto:jennifer@burkhalterlaw.com]
Sent: Thursday, August 16, 2018 7:31 AM
To: White, Erica <Erica.White@nnsa.doe.gov>
Subject: RE: Acknowledgement of Freedom of Information Act Request - FOIA 18-00214-EW

Good morning Ms. White,
I wanted to check in to see if you have received a response on this. Please let me know. Thanks!

Best Regards,
Jennifer Lindsey, Legal Assistant
The Burkhalter Law Firm, P.C.
PO Box 2777
Knoxville, TN 37901
(865) 524-4974 Phone
(865) 524-0172 Fax
www.burkhalterlaw.com

From: White, Erica <Erica.White@nnsa.doe.gov>
Sent: Wednesday, August 8, 2018 11:17 AM
To: Jennifer Lindsey <jennifer@burkhalterlaw.com>
Cc: White, Erica <Erica.White@nnsa.doe.gov>
Subject: RE: Acknowledgement of Freedom of Information Act Request - FOIA 18-00214-EW

Ms. Lindsey,

I reached out to my point of contact at the site office and am waiting for a reply. I have no additional updates.

Thank you,

Erica

From: Jennifer Lindsey [<mailto:jennifer@burkhalterlaw.com>]
Sent: Wednesday, August 08, 2018 8:50 AM
To: White, Erica <Erica.White@nnsa.doe.gov>
Subject: RE: Acknowledgement of Freedom of Information Act Request - FOIA 18-00214-EW
Importance: High

Good morning Ms. White,

Mr. Burkhalter needed me to check to see if you have the status of this request if you could please let us know. Thank you!

Best Regards,
Jennifer Lindsey, Legal Assistant
The Burkhalter Law Firm, P.C.
PO Box 2777
Knoxville, TN 37901
(865) 524-4974 Phone
(865) 524-0172 Fax
www.burkhalterlaw.com

From: Jennifer Lindsey <jennifer@burkhalterlaw.com>
Sent: Friday, August 3, 2018 2:20 PM
To: 'Erica.White@nnsa.doe.gov' <Erica.White@nnsa.doe.gov>
Cc: David Burkhalter <david@burkhalterlaw.com>
Subject: FW: Acknowledgement of Freedom of Information Act Request - FOIA 18-00214-EW

Good afternoon Ms. White,

Would you please provide Mr. Burkhalter with a status of this request at your earliest convenience. Thank you in advance!

Best Regards,

Jennifer Lindsey, Legal Assistant
The Burkhalter Law Firm, P.C.
PO Box 2777
Knoxville, TN 37901
(865) 524-4974 Phone

(865) 524-0172 Fax
www.burkhalterlaw.com

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From: David Burkhalter <david@burkhalterlaw.com>
Sent: Wednesday, June 27, 2018 2:33 PM
To: Jennifer Lindsey The Burkhalter Law Firm. <jennifer@burkhalterlaw.com>
Subject: Fwd: Acknowledgement of Freedom of Information Act Request - FOIA 18-00214-EW

Begin forwarded message:

From: "White, Erica (CONTR)" <Erica.White@nnsa.doe.gov>
Date: June 27, 2018 at 11:36:00 AM EDT
To: "david@burkhalterlaw.com" <david@burkhalterlaw.com>
Cc: "White, Erica (CONTR)" <Erica.White@nnsa.doe.gov>
Subject: Acknowledgement of Freedom of Information Act Request - FOIA 18-00214-EW

Mr. Burkhalter, II:

The attached PDF acknowledges receipt of your recent Freedom on Information Act Request.

Thank you and have a wonderful day.

V/R

Erica White
FOIA/PA Analyst
Office of the General Counsel
National Nuclear Security Administration